

**BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI**

In the Matter of the Application of)	
Cognigen Networks, Inc.)	
for Certificate of Service Authority to Provide)	
Intrastate Interexchange and Non-Switched)	Case No. _____
Local Exchange Telecommunications Services)	
within the State of Missouri and for)	
Competitive Classification.)	

**APPLICATION FOR CERTIFICATE OF SERVICE AUTHORITY
AND FOR COMPETITIVE CLASSIFICATION**

Comes now Cognigen Networks, Inc. ("Applicant" or "Company"), by and through counsel, and pursuant to Sections 392.361, 392.410, 392.420, 392.430, 392.440 RSMo, and 4 CSR 240-2.060 and 4 CSR 240-3.510, files this verified Application requesting that the Missouri Public Service Commission (hereinafter "the Commission") issue an order that:

- (a) grants Applicant certificate of service authority to provide intrastate interexchange and non-switched local exchange telecommunications services, pursuant to Chapter 392 RSMo;
- (b) grants competitive status to Applicant and Applicant's requested services;
- (c) waives certain Commission rules and statutory provisions pursuant to Sections 392.420 and 392.361 RSMo, consistent with the Commission's past treatment of other certificated providers of competitive interexchange and non-switched local exchange telecommunications services; and
- (d) approves Applicant's separately submitted proposed tariff.

In support of its request, Applicant states that:

1. Applicant is a foreign corporation formed and operating under the laws of the State of Colorado and is duly authorized to transact business in the State of Missouri. The character of the business performed by Applicant is telecommunications. Pursuant to the

relevant provisions of 4 CSR 240-2.060, a certificate of authority from the Missouri Secretary of State's Office is attached hereto and incorporated herein by reference as **Appendix A**. Applicant's principal place of business is 6405 218th Street SW, Suite 305, Mountlake Terrace, WA 98043.

2. All communications, notices, orders and decisions respecting this Application and proceeding should be addressed to:

William D. Steinmeier
Mary Ann (Garr) Young
William D. Steinmeier, P.C.
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Email: pcrocker@earlylennon.com

Questions concerning Applicant's ongoing operations should be directed to Mr. Crocker at the above address and phone number. Questions regarding Applicant's proposed tariff should be directed to Ms. Young.

3. By this Application, Applicant proposes to provide various types of intrastate interexchange and non-switched local exchange (dedicated private line) telecommunications services throughout the state of Missouri on a resold basis. Specifically, Applicant seeks authority to provide a full range of "1+" interexchange services, MTS, out-WATS, in-WATS, and Calling Card Services, and where appropriate, non-switched local exchange/private line services. Applicant will provide telecommunications services to residential and business customers.

4. Pursuant to 4 CSR 240-3.510(1), which requires that an application for a certificate of service authority to provide interexchange, local exchange or basic local

exchange service shall include a proposed tariff with no less than a forty-five (45) day effective date, Applicant is separately filing its proposed interexchange (IXC) and non-switched local exchange (LE) tariff, designated as P.S.C. Mo. No. 1. Applicant's proposed tariff contains the rules, conditions and description of services and rates, and bears an effective date forty-five (45) days after the issued date. Applicant respectfully requests approval of its IXC and non-switched local exchange tariff, P.S.C. Mo. No. 1.

5. Applicant requests that it and all its services proposed herein be classified as competitive. Applicant believes that the highly developed state of the interexchange and local exchange telecommunications services market in Missouri and nationwide ensures that its proposed services will be subject to sufficient competition to warrant a less rigorous degree of regulation.

6. As a new market entrant, Applicant requests streamlined regulatory treatment afforded similarly situated telecommunications carriers in Missouri. Likewise, to the extent the Commission has granted other competitive interexchange and local exchange carriers waiver of certain of the Commission's rules and regulations, Applicant respectfully requests that it be granted the same waivers.

7. Consistent with the Commission's treatment of other certificated telecommunications companies, Applicant respectfully requests that, pursuant to §392.361.5 and §392.420, RSMo, the following statutes and regulations be waived with respect to its interexchange and non-switched local exchange service offerings:

STATUTES

§ 392.210.2	--	Uniform System of Accounts
§ 392.240(1)	--	Rates-Rentals-Service & Physical Connections

§ 392.270	--	Valuation of Property (Ratemaking)
§ 392.280	--	Depreciation Accounts
§ 392.290	--	Issuance of Securities
§ 392.300.2	--	Acquisition of Stock
§ 392.310	--	Issuance of Stock and Debt
§ 392.320	--	Stock Dividend Payment
§ 392.330	--	Issuance of Securities, Debts and Notes
§ 392.340	--	Reorganization(s)

RULES

4 CSR 240-3.545(2)(C)	--	Posting of Tariffs
4 CSR 240-10.020	--	Depreciation Fund Income
4 CSR 240-30.040	--	Uniform System of Accounts
4 CSR 240-33.030	--	Minimum Charges

8. Applicant will comply fully with all applicable Commission rules except those that are specifically waived by the Commission pursuant to the Company's request herein. To the extent that the Commission may modify its waiver policies, Applicant respectfully reserves the right to amend its waiver requests accordingly.

9. Pursuant to 4 CSR 240-2.060 (1) (K), Applicant states that it does not have any pending action or final unsatisfied judgments or decisions against it from any state or federal agency or court which involve customer service or rates, which action, judgment or decision has occurred with three (3) years of the date of this Application.

10. Pursuant to 4 CSR 240-2.060 (1) (L), Applicant states that no Commission annual report or assessment fees are overdue.

11. Applicant is financially capable of providing the services proposed. Applicant also possesses the necessary technical and managerial expertise and experience

necessary to provide the services it proposes to offer at standards that will meet or exceed all service standards established by the Commission.

12. Applicant submits that the public interest will be served by Commission approval of this application because Applicant's proposed services will create and enhance competition and expand customer service options consistent with the legislative goals set forth in the federal Telecommunications Act of 1996 and Chapter 392 RSMo. Prompt approval of this application also will expand the availability of innovative, high quality, and reliable telecommunications services within the State of Missouri.

WHEREFORE, Cognigen Networks, Inc. respectfully requests that the Commission: (1) grant it certificate of service authority to provide intrastate interexchange and non-switched local exchange telecommunications services within the State of Missouri; (2) grant Applicant and its proposed services competitive status; (3) waive the application of the above-referenced statutes and Commission rules; and (4) approve its separately-submitted tariff.

Respectfully submitted,

/s/ Mary Ann Young

Mary Ann (Garr) Young, MoBar #27951
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ATTORNEYS FOR COGNIGEN NETWORKS,
INC.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Verified Application has been served electronically on the General Counsel's Office and the Office of the Public Counsel this 24th day of September 2004.

/s/ Mary Ann Young

Mary Ann Young

APPENDIX A
Secretary of State Certificate

STATE OF MISSOURI



Matt Blunt
Secretary of State


F00506096

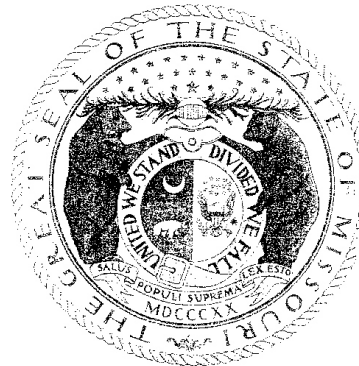
CERTIFICATE OF CORPORATE RECORDS

COGNIGEN NETWORKS, INC.

I, MATT BLUNT, Secretary of the State of the State of Missouri and Keeper of the Great Seal thereof, do hereby certify that the annexed pages contain a full, true and complete copy of the original documents on file and of record in this office for which certification has been requested.

IN TESTIMONY WHEREOF, I have set my hand and an imprinted the GREAT SEAL of the State of Missouri, on this, the 17th day of November, 2003


Secretary of State



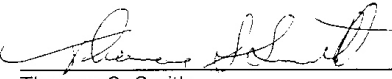
Certification Number: 6220019-1 Page 1 of 4 Reference:
Verify this certificate online at <http://www.sos.mo.gov/businessentity/verification>

Verification

VERIFICATION


Thomas S. Smith, President of Cognigen Networks, Inc., first being duly sworn on oath, deposes and says that he has read the foregoing Application and verifies that the statements made therein are true and correct to the best of his knowledge, information and belief.

Cognigen Networks, Inc.

By: 
Thomas S. Smith

The foregoing instrument was acknowledged before me this 5 day of August 2004
by Thomas S. Smith.




NOTARY PUBLIC: _____
My Commission Expires: 9/25/04
County of Douglas State of Colorado

